

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
: AS TO ROBERT A. MCADAMS
ROBERT A. MCADAMS AND HEAVENLY PEACE :
FUNERAL HOME, : LS0908042FDR
RESPONDENTS. :

Division of Enforcement Case File # 06 FDR 013

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Robert A. McAdams
C/o Twin Cities Cremation & Funeral Service
1598 Carroll Ave. W
St. Paul, MN 55104

Funeral Directors Examining Board
P.O. Box 8935
Madison, WI 53707-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Funeral Directors Examining (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Robert A. McAdams is licensed in the state of Wisconsin as a Funeral Director, license # 77-4489. This license was first granted to him on 07/10/1979 and is current through 12/14/2009.
2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Mr. McAdams is c/o Twin Cities Cremation & Funeral Service, 1598 Carroll Ave. W, St. Paul, MN 55104.
3. Respondent Heavenly Peace Funeral Home was licensed in the state of Wisconsin as a Funeral Establishment, license # 78-2408. This license was first granted to Heavenly Peace Funeral Home on 12/16/2004 and expired on 06/01/2009.
4. The most recent address on file with the Department for Heavenly Peace Funeral Home is 5310 W. North Ave., Milwaukee, WI 53208.

5. Respondent Robert A. McAdams was listed in the Department's records as the Funeral Director in Charge for Heavenly Peace Funeral Home during the funeral home's licensing period.

6. On or about July 12, 2006, the Department received a complaint alleging unlicensed individuals were performing duties of a licensed funeral director at Heavenly Peace Funeral Home. A case was subsequently opened for investigation.

7. The Department's investigation revealed that Heavenly Peace Funeral Home is no longer in operation.

8. The Department's investigation revealed that Robert A. McAdams agreed to be the Funeral Director in Charge for Heavenly Peace Funeral Home, yet he was never actually present at Heavenly Peace Funeral Home while it was in operation. Mr. McAdams admits that he never saw any records from Heavenly Peace Funeral Home and he doesn't know if records exist any longer.

9. In resolution of this matter, Robert A. McAdams consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 445.13, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in paragraph 7 of the Findings of Fact, Respondent Robert A. McAdams has violated Wis. Admin. Code § FD 3.02(9) by engaging in misleading or deceptive conduct in the conduct of business or the profession. As a result, Respondent Robert A. McAdams is subject to discipline pursuant to Wis. Stat. § 445.13(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Robert A. McAdams be, and hereby is, REPRIMANDED.

2. Respondent Robert A. McAdams shall pay COSTS in the amount of FIVE HUNDRED THIRTY-FIVE DOLLARS (\$535.00) within ninety (90) days from the date of this Order.

3. Payment of the costs shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Mr. McAdams' license. The Board in its discretion may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Mr. McAdams fails to timely submit any payment as ordered, then his license (# 78-2408) SHALL BE SUSPENDED without further notice or hearing until Mr. McAdams has complied with the terms of this Order.

IT IS FURTHER ORDERED, that file, 06 FDR 013 be, and hereby is, closed as to Respondent Robert A. McAdams.

5. This Order is effective on the date of its signing.

Dated this 4th day of August, 2009.

WISCONSIN FUNERAL DIRECTORS EXAMINING BOARD

By: Connie C. Ryan